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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,657	06/28/2001	Ryuhei Fujiwara	074273-0191	2049

22428 7590 05/10/2004

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3000 K STREET NW  
WASHINGTON, DC 20007

EXAMINER

GELIN, JEAN ALLAND

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 05/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/892,657

Applicant(s)

FUJIWARA, RYUHEI

Examiner

Jean A Gelin

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 June 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-3,5 and 8-10 is/are rejected.  
7) ☒ Claim(s) 4,6 and 7 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 28 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5, and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujiwara (US 6,157,827) in view of Ehara (US 6,577,881).

Regarding claims 1, 8, and 10, Fujiwara teaches a communication system (fig. 1, col. 3, lines 53-60) comprising: a network (12); a distribution server (11) connected to said network (12); and a client terminal (13 or 14) connected to said network (12), wherein said distribution server (11) comprises: a first folder (15) which stores a file read from a content server connected to said network (col. 3, line 61 to col. 4, line 5); a radio transmitter which reads out the file from said first folder and wirelessly transmits the read file to said client terminal (col. 4, lines 54-65), and said client terminal (13 or 14) comprises: a radio receiver which wirelessly receives the file transmitted from said radio transmitter (i.e., mail received is stored in memory 47, col. 4, lines 13-22); and a second folder (i.e., memory 47) which is correlated with said first folder and stores the file received by the radio receiver (col. 4, lines 13-31).

Fujiwara does not specifically teach an actuation timing setting section which sets an actuation timing to process the file stored in said first folder and, reading out the file from said first folder the time arrived.

However, the preceding limitation is known in the art of communications. Ehara teaches setting a time-out timer to carry out a discriminating process for the terminal to establish communication with the message center, the communication starts when the processing time is over (read on col. 3, line 33 to col. 4, line 63). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the technique of Ehara within the system of Fujiwara in order to allow the user to grasp the exchange with the service center without listening to the speech guidance by the function of judging the content of the received speech and displaying the contents of operation based on the speech guidance on the display unit.

Regarding claim 2, Fujiwara in view of Ehara teaches all the limitations above. Ehara further teaches wherein said actuation timing setting section sets a periodic interval as the actuation timing (i.e., setting time out, col. 4, lines 25-55).

Regarding claims 3, 5, Fujiwara in view of Ehara teaches all the limitations above. Ehara further teaches wherein said actuation timing setting section further sets a time as the actuation timing (i.e., setting time out, col. 4, lines 25-55).

Regarding claim 9, Fujiwara in view of Ehara teaches all the limitations above. Fujiwara further teaches wherein the file transmitted by said file transmitting section includes information of a predetermined territory, and said mobile terminal has a display which displays the information of the territory when receiving the file (col. 4, lines 1-53).

***Allowable Subject Matter***

3. Claims 4, 6, and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bergenlid et al. (US 5,535,429) teaches a signal which would stop the time monitoring process is not sent to the mobile.

Pu et al. (US 6,292,743) teaches mobile navigation system.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A Gelin whose telephone number is (703) 305-4847. The examiner can normally be reached on 9:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Erika A Gary can be reached on (703) 308-0123. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2681

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin  
April 30, 2004

JEAN CELIN  
PATENT EXAMINER  
*Jean Allard Celin*